

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**ROBERT MAXWELL, d/b/a NERI  
USA, A SUCCESSOR TO R.P.M.  
ASSOCIATES,**

**Plaintiff,**

**VS.**

**NERI NORTH AMERICA, and  
NERI S.p.A.,**

**Defendants.**

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**CIVIL ACTION NO. 4:13-cv-269**

**ORDER**

Plaintiff Robert Maxwell brought this suit against Defendants Neri North America and Neri S.p.A. for breach of contract, tortious interference with contract, unjust enrichment, and conversion. (Doc. No. 1, Ex. 3.) Defendants asserted a counterclaim against Mr. Maxwell for breach of contract. (Doc. No. 3.)

Defendants/Counter-Plaintiffs move for summary judgment on the breach of contract counterclaim. (Doc. No. 22.) Defendants/Counter-Plaintiffs request the following damages:

1. Awarding Neri S.p.A. recovery of \$170,174.25 in principal;
2. Awarding Neri North America recovery of \$22,602.50 in principal;
3. Awarding Counter-Plaintiffs' attorneys' fees of not less than \$10,000 each;
4. Awarding Counter-Plaintiffs additional fees of not less than \$4,000 each in the event of an unsuccessful appeal by Maxwell;
5. Awarding Counter-Plaintiffs pre-judgment interest on the respective principal amounts at the rate of 5% per annum from February 11, 2013, to the date of judgment;


6. Awarding Counter-Plaintiffs' costs of court;
7. Awarding Counter-Plaintiffs post-judgment interest on all sums awarded at the statutory rate from the date of judgment until paid; and
8. Awarding Counter-Plaintiffs the maximum lawful post-judgment interest rate.

(Doc. No. 22 at 23-24.) Mr. Maxwell advised the Court that he does not oppose this Motion.  
(Doc. No. 27.)

The Court hereby **GRANTS** Defendants' Motion for Summary Judgment on their Counterclaim.

**IT IS SO ORDERED.**

**SIGNED** on this the 30th day of May, 2014.



---

KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE